

# EXHIBIT L

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**From:** Frey, Timothy  
**Sent:** Monday, September 25, 2023 5:52 PM  
**To:** cjh; Bloom, Michael; Levine-Patton, Maura  
**Cc:** kaplan@parkerdk.com  
**Subject:** RE: Follow Up to Our Calls

Conan,

It has now been over a month since I last heard from you, despite multiple emails, text messages, and phone calls. Please advise by 12 p.m. PT tomorrow, 9/26 if you will appear for a deposition on 9/28 as you previously offered and as reflected in the subpoena that we served on you. If you do intend to appear, you must also produce any responsive documents in your possession immediately. You can send them to me or Mike Bloom (copied) at these email addresses.

If we do not hear from you, we will suspend the deposition so that we do not incur further time and expense travelling to Los Angeles. We will then move forward with the motion to compel hearing that has been set for October 10 in the Central District of California.

Tim



vCard Bio

Timothy M. Frey  
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**From:** Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>  
**Sent:** Tuesday, September 19, 2023 10:44 PM  
**To:** cjh <[cjh@criptext.com](mailto:cjh@criptext.com)>; Bloom, Michael <[MBloom@beneschlaw.com](mailto:MBloom@beneschlaw.com)>; Levine-Patton, Maura <[MLevine-Patton@beneschlaw.com](mailto:MLevine-Patton@beneschlaw.com)>  
**Cc:** kaplan@parkerdk.com  
**Subject:** RE: Follow Up to Our Calls

Conan,

I am following up with respect to your deposition and document production. The deposition is set for next Thursday, 9/28. Please send your document production immediately and advise whether you intend to appear pursuant to the subpoena.

Thank you,

Tim



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**From:** Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>

**Sent:** Tuesday, September 12, 2023 11:37 AM

**To:** cjh <[cjh@criptext.com](mailto:cjh@criptext.com)>; Bloom, Michael <[MBloom@beneschlaw.com](mailto:MBloom@beneschlaw.com)>; Levine-Patton, Maura <[MLevine-Patton@beneschlaw.com](mailto:MLevine-Patton@beneschlaw.com)>

**Cc:** [kaplan@parkerdk.com](mailto:kaplan@parkerdk.com)

**Subject:** RE: Follow Up to Our Calls

Hi Conan,

Per the dates you provided us on August 24 for your availability in late September, attached please find a subpoena for your deposition on September 28. I understand that this was also formally served on you last Friday. The deposition will begin at 9:00 a.m. PT at 444 South Flower Street, Suite 2140, Los Angeles.

As I indicated below, we have also opened a proceeding in the Central District of California to enforce the previous subpoenas we served on you for deposition testimony and a document production. The Court has set a hearing date for October 10, 2023 at 10:00 a.m. before Magistrate Judge Brianna Fuller Mircheff. Of course, if you comply with the subpoenas, appear for your deposition on the 28<sup>th</sup>, and produce documents to us ASAP, we will be able to dismiss the action.

Please advise whether (and when) you intend to produce documents and whether you intend to appear for your deposition on the date you previously offered.

If you have retained counsel, please pass along their contact information.

Thank you,

Tim



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**From:** Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>

**Sent:** Tuesday, August 29, 2023 1:36 PM

**To:** cjh <[cjh@criptext.com](mailto:cjh@criptext.com)>; Bloom, Michael <[MBloom@beneschlaw.com](mailto:MBloom@beneschlaw.com)>; Levine-Patton, Maura <[MLevine-Patton@beneschlaw.com](mailto:MLevine-Patton@beneschlaw.com)>

**Cc:** [kaplan@parkerdk.com](mailto:kaplan@parkerdk.com)

**Subject:** RE: Follow Up to Our Calls

Thanks, Conan. Based on your availability, we will take your deposition on September 28<sup>th</sup>. We will provide further information regarding location, but it will be in Los Angeles. With respect to documents, please produce by this Friday, September 1<sup>st</sup>. You can send them via email to Mike at [mbloom@beneschlaw.com](mailto:mbloom@beneschlaw.com).

As I noted below, to preserve all rights and remedies, we will still file a motion with the Central District of California to enforce the original subpoena for documents and deposition.

Best,  
Tim



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**From:** cjh <[cjh@criptext.com](mailto:cjh@criptext.com)>

**Sent:** Thursday, August 24, 2023 11:14 AM

**To:** Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>; Bloom, Michael <[MBloom@beneschlaw.com](mailto:MBloom@beneschlaw.com)>

**Cc:** [kaplan@parkerdk.com](mailto:kaplan@parkerdk.com)

**Subject:** RE: Follow Up to Our Calls

Hi Tim-

Yea, we survived the drizle :)

I am available it looks like Sept. 26th, 27th and 28th. I will go through and see what, if any, responsive documents I would have. It might say but can you please let me know where I would send them.

Thank you

Best, Conan

On Tue, 22 Aug 2023 at 7:36 AM, Frey, Timothy <[tfrey@beneschlaw.com](mailto:tfrey@beneschlaw.com)> wrote:

Conan,

I hope you stayed safe over the weekend with the storms. We did go forward with your deposition on Friday, as I stated we would on the phone and in my email, and are now preparing to file a motion to enforce the subpoena with the federal district court in Southern California. That said, if we can set a date to take your deposition at the end of September, and that deposition occurs, we can certainly re-visit whether it makes sense to voluntarily dismiss the motion. In addition to sitting for the deposition, we would also need you to produce documents responsive to the document subpoena in advance of the deposition date.

Please let us know what dates may work for you, and we can go from there.

Thanks,

Tim



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**From:** cjh <[cjh@criptext.com](mailto:cjh@criptext.com)>

**Sent:** Friday, August 18, 2023 4:43 PM

**To:** Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>; Bloom, Michael <[MBloom@beneschlaw.com](mailto:MBloom@beneschlaw.com)>

**Cc:** [kaplan@parkerdk.com](mailto:kaplan@parkerdk.com)

**Subject:** RE: Follow Up to Our Calls

Tim -

Not sure what you decided to do today. Like I mentioned on the call and in my email below, I am available at the end of September and am willing to work towards finding an agreeable time for both of us. Let me know what works for you guys.

Regards, Conan

On Fri, 18 Aug 2023 at 7:26 AM, Frey, Timothy <[tfrey@beneschlaw.com](mailto:tfrey@beneschlaw.com)> wrote:

Conan,

You were served with a subpoena to testify at a deposition today, August 18, on July 21, 2023. Although the cover letter indicated that the date could be changed to a mutually agreeable date and time, that was contingent upon you engaging in a conversation with us to make such arrangements. The subpoena included Mike's contact information so that you would be able to reach us.

After we did not hear from you, we attempted to contact you via phone and at this email address on August 4 and again on August 8. When we did not receive a response we re-served you with the subpoena to testify, along with tendering the witness fees for your compliance.

You have therefore known about this deposition for at least 28 days, but only yesterday contacted us to seek a new date and time for your testimony. As I noted when we spoke, we have many depositions to take in a short time period and as we had not heard from you previously, moved forward with arrangements to take your deposition today. We have coordinated with opposing counsel, scheduled a court reporter and videographer, and travelled to Los Angeles in order to take your deposition.

For those reasons, we will proceed as I informed you yesterday and open your deposition at 10:00 a.m. PT this morning. If you elect not to attend, we will have no choice but to seek your compliance from a court, including any costs and fees we have incurred to take the deposition today.

Tim



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**From:** cjh <[cjh@criptext.com](mailto:cjh@criptext.com)>

**Sent:** Thursday, August 17, 2023 10:14 PM

**To:** Bloom, Michael <[MBloom@beneschlaw.com](mailto:MBloom@beneschlaw.com)>; Frey, Timothy <[TFrey@beneschlaw.com](mailto:TFrey@beneschlaw.com)>

**Subject:** Follow Up to Our Calls

Hello Michael/Tim-

As I mentioned on our call, first with Michael and then followed up with Tim, I was going off the lead sheet stating that the date was a placeholder. The first subpoena had a different date than the second and no check, so I am going off of the date of 8/11/23. That gives me a week if I were available. I mentioned that I wasn't and would be towards the end of September as I am in the middle of an unrelated project.

Also up until this morning I thought I had representation. I need to find counsel which is impossible for me in a day. Tim mentioned that it has been hard tracking others down but that is unrelated to me. I personally reached out and am willing to work with you guys to find a time that fits both of our schedules.

I won't be available or present tomorrow but am open to discussing a date that works for everyone in the future.

Regards, Conan

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